

REMARKS

The Office Action dated February 4, 2005 has been received and carefully considered. In this response, claims 1, 12, 19, 21, 27, 34 and 35 have been amended and claims 6, 7, 26 and 37 have been canceled without prejudice. Support for these amendments may be found in the specification and figures as originally filed. Entry thereof and reconsideration of the outstanding objections and rejections therefore is respectfully requested.

Allowability of Claims 7, 16-18, 26, 27, 30-34 and 37

The Applicants note with appreciation the indication at page 8 of the Office Action that claims 16-18 and 30-34 are allowable and that claims 7, 26, 27 and 37 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. In an effort to advance the present application to issuance, claim 1 has been amended to substantially recite the additional features of allowable claim 7 and the intervening claim 6, claim 21 has been amended to substantially recite the additional features of allowable claim 26 and claim 35 has been amended to substantially recite the additional features of allowable claim 37. Claims 1, 21 and 35 therefore should be allowable for at least the same reasons that claims 7, 26 and 37 are allowable.

Objection to Claim 7

At page 2 of the Office Action, claim 7 was objected to for having informalities. Claim 7 has been canceled, thereby obviating this objection.

Obviousness Rejection of Claims 1-4, 6, 9, 21-24, 28, 29, 35, 36 and 39

At page 3 of the Office Action, claims 1-4, 6, 9, 21-24, 28, 29, 35, 36 and 39 were rejected under 35 U.S.C. Section 103(a) as being rejected under 35 U.S.C. Section 103(a) as being unpatentable over Miyamoto (U.S. Patent No. 6,414,954) in view of Teichmer (U.S. Patent No. 6,380,991). This rejection is respectfully traversed.

As noted above, claim 1 has been amended to substantially recite the additional features of allowable claim 7 and intervening claim 7 and therefore is allowable for at least the same reasons as allowable claim 7. Claims 2-4, 6 and 9 depend from claim 1 and therefore are allowable at least by virtue of their dependency from claim 1. Similarly, claim 21 has been

amended to substantially recite the additional features of allowable claim 26 and therefore is allowable for at least the same reasons as allowable claim 26. Claims 22-24, 28 and 29 therefore also are allowable at least by virtue of their dependency from claim 21. Claim 35 has been amended to substantially recite the additional features of claim 37 and therefore is allowable at least for the same reasons as allowable claim 37. Claim 36 therefore also is allowable at least by virtue of its dependency from claim 35.

Claim 39 recites the limitations of requesting acquisition of a current program management table when, in response to detecting a first splice indicator, it is determined that a first splice state has been encountered. The Applicants respectfully submit that the Office Action does not discuss how either Miyamoto or Teichner disclose or suggest a current program management table in any manner, much less requesting acquisition of a current program management table when it is determined that a first splice state has been encountered. Moreover, no disclosure of a current program management table or a request for its acquisition is found in the teachings of Miyamoto and Teichner. Accordingly, it is respectfully submitted that the Office Action fails to establish that Miyamoto or Teichner disclose or suggest, alone or in combination, at least these features of claim 39. Accordingly, the Office Action fails to establish that the proposed combination of Miyamoto and Teichner discloses or suggests each and every feature of claim 39.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claims 1-4, 6, 9, 21-24, 28, 29, 35, 36 and 39 is improper at this time and the withdrawal of this rejection therefore is respectfully requested.

Obviousness Rejection of Claims 5, 11-15, 19, 20 and 25

At page 6 of the Office Action, claims 5, 11-15, 19, 20 and 25 were rejected under 35 U.S.C. Section 103(a) as being rejected under 35 U.S.C. Section 103(a) as being unpatentable over Miyamoto in view of Teichner and further in view of Chen (U.S. Patent No. 5,917,830). This rejection is respectfully traversed.

As noted above, claims 1 and 21, as presently amended, are allowable for at least the same reasons that claims 7 and 27 are allowable. Claims 5, 11-15, 19 and 20 therefore should be allowable at least by virtue of their dependency from claim 1 and claim 25 should be allowable

at least by virtue of its dependency from claim 21. Moreover, these claims recite additional limitations neither disclosed nor suggested by the cited references.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claims 5, 11-15, 19, 20 and 25 is improper at this time and the withdrawal of this rejection therefore is respectfully requested.

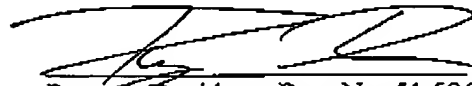
Conclusion

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-0441.

Respectfully submitted,

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Date



Ryan S. Davidson, Reg. No. 51,596
on behalf of
J. Gustav Larson, Reg. No. 39,263
TOLER, LARSON & ABEL, L.L.P.
5000 Plaza On The Lake, Suite 265
Austin, Texas 78746
(512) 327-5515 (phone) (512) 327-5452 (fax)